



9-3-04

JEW

Express Mail No. EV452772964US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Brines et al. Confirmation No.: 7980
Serial No.: 10/676,694 Art Unit: 1641
Filed: September 30, 2003 Examiner: To be assigned.
For: TISSUE PROTECTIVE CYTOKINE Attorney Docket No.: 10165-027-999
RECEPTOR COMPLEX AND
ASSAYS FOR IDENTIFYING
TISSUE PROTECTIVE
COMPOUNDS

TRANSMITTAL FOR REVOCATION AND POWER OF ATTORNEY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the Rules of Practice, please consider the following remarks. Applicant respectfully requests entry of the enclosed Revocation and Power of Attorney executed by Carla Cerami Hand on behalf of The Kenneth S. Warren Institute, Inc., the assignee of the above-identified patent application by virtue of an Assignment filed with the U.S. Patent and Trademark Office, a copy of which is attached.

Applicant does not believe there is a fee due in connection with this submission. However, should the Patent and Trademark Office determine otherwise, please charge the required fee to Jones Day Deposit Account No. 50-3013.

Respectfully submitted,

Date: September 1, 2004

Laura A. Coruzzi 30,742
Laura A. Coruzzi (Reg. No.)

By: Eileen E. Falvey 46,097
Eileen E. Falvey (Reg. No.)

JONES DAY
222 East 41st Street
New York, New York 10017
(212) 326-3939

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Brines et al.

Confirmation No.: 7980

Serial No.: 10/676,694

Art Unit: 1641

Filed: September 30, 2003

Examiner: To be assigned.

For: TISSUE PROTECTIVE CYTOKINE
RECEPTOR COMPLEX AND ASSAYS
FOR IDENTIFYING TISSUE
PROTECTIVE COMPOUNDS

Attorney Docket No.: 10165-027-999

**POWER OF ATTORNEY BY ASSIGNEE
AND EXCLUSION OF INVENTOR(S) UNDER 37 C.F.R. 3.71
WITH STATEMENT UNDER 37 C.F.R. 3.73(b)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned assignee of the entire interest in the above-identified subject application hereby appoints Practitioners at Customer Number 20583 all of Jones Day, whose address is 222 East 41st Street, New York, New York 10017, as its attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, said appointment to be to the exclusion of the inventors and their attorney(s) in accordance with the provisions of 37 C.F.R. 3.71, provided that, if any one of these attorneys ceases being affiliated with the law firm of Jones Day as partner, counsel, or employee, then the appointment of that attorney and all powers derived therefrom shall terminate on the date such attorney ceases being so affiliated.

Please direct all correspondence for this application to customer no. 20583.

Statement Under 37 C.F.R. 3.73(b)

The Kenneth S. Warren Institute, Inc. states that it is:

- the assignee of the entire right, title, and interest; or
 an assignee of less than the entire right, title and interest.

The extent (by, percentage) of its ownership interest is %

in the patent application/patent identified above by virtue of either:

- An assignment from the inventor(s) of the patent application/patent identified above.
The assignment was recorded in the United States Patent and Trademark Office on
at Reel , Frame , or for which a copy thereof is attached.

OR

- A chain of title from the inventor(s), of the patent application/patent identified above,
to the current assignee as shown below:

1. From: To:
The document was recorded in the United States Patent and Trademark Office on
at Reel , Frame , or for which a copy thereof is attached.

2. From: To:

The document was recorded in the United States Patent and Trademark Office on
at Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: To:

The document was recorded in the United States Patent and Trademark Office on
at Reel _____, Frame _____, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

[Note: A separate copy (i.e., the original assignment document or a true copy of the
original document) must be submitted to Assignment Division in accordance with 37
CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See
MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

ASSIGNEE: The Kenneth S. Warren Institute, Inc.

Date:

8/20/04

Signature:

Carla Cerami Hand

Typed Name:

Carla Cerami Hand

Position/Title:

Director

ASSIGNMENT

WHEREAS, WE, Michael Brines, citizen of the U.S.A., residing at 1 Wepawaug Road, Woodbridge Connecticut 06525; Anthony Cerami, citizen of the U.S.A., residing at 49 Bramblebush Drive, Croton-on-Hudson, New York 10520; Pietro Ghezzi, citizen of Italy, residing at Via Mac Mahon No. 82, Milan, Italy 20155, Fabio Fiordaliso, citizen of Italy, residing at Via Lorenzo Di Credi 10, Milan, Italy 20149; and Maddalena Fratelli, citizen of Italy, residing at Via Costanza 4, Milan, Italy 20146, are co-inventors with Mette Nielsen, citizen of Denmark, residing at Gladsaxevej 73 3.th, Soborg, Denmark DK-2860; Jens Gerwien, citizen of Germany, residing at Haraldsgade 52, 1.tv, DK-2100 Copenhagen, Denmark; Lars Ostergaard Pedersen, citizen of Denmark, Ved Vigen 14, DK-2400 Copenhagen, Denmark; Marcel Leist, citizen of Germany, residing at Kloverbladsgade 14.1, DK-2500 Valby, Denmark; and Thomas Sager, citizen of Denmark, residing at Stormosevej 35, DK-2465 Smorum, Denmark, of the invention in TISSUE PROTECTIVE CYTOKINE RECEPTOR COMPLEX AND ASSAYS FOR IDENTIFYING TISSUE PROTECTIVE COMPOUNDS for which we have executed an application for a Patent of the United States

- which is executed on even date herewith or
 which is identified by attorney docket no. 10165-027-999
 which was filed on September 30, 2003, Application No. 10/676,694

and WHEREAS, The Kenneth Warren Institute, Inc., having an address of 712 Kitchawan Road, Ossining, NY 10562, ASSIGNEE, is desirous of obtaining our entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said ASSIGNORS, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, our entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

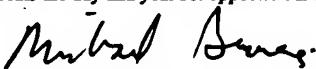
AND WE HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEES, their successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, We hereunto set our hands and seals the day and year set opposite our respective signatures.

Date July 6, 2004

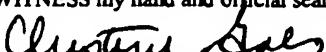

Michael Brines

L.S.

State of NEW YORK)
County of WESTCHESTER)
) SS.:
)

On JULY 6, 2004, before me, CHRISTINE GALIS, Notary Public, personally appeared Michael Brines, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal



Christine Galis
Notary Public, State of New York
No. 01GA5073633
Qualified in Queens County
Commission Expires March 3, 2007

Date 7-6-04, 2004

Anthony Cerami

L.S.

State of New York)
County of WESTCHESTER)
SS.:)

On July 6, 2004, before me, CHRISTINE GALLS, Notary Public, personally appeared Anthony Cerami, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Christine Galls

Christine Galls
Notary Public, State of New York
No. 01GA5073633

Date Qualified in Queens County
Commission Expires March 3, 2007

Fabio Fiordaliso

L.S.

Witness

Witness

Date

L.S.

Pietro Ghezzi

Witness

Witness

Date

L.S.

Maddalena Fratelli

Witness

Witness

Date 7-6-04, 2004

A. Cerami
Anthony Cerami

L.S.

State of)
) SS.:
County of)

On July 6, 2004, before me, Notary Public, personally appeared Anthony Cerami, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Date July 8 2004

Fabio Fiordaliso

L.S.

Maria de Rego

Witness

Date July 8 2004

Pietro Ghezzi

L.S.

Maria de Rego

Witness

Date July 8 2004

Maddalena Fratelli

L.S.

Maddalena Fratelli

Witness

WITNESSES

MANUELA MENGONI

TERESA LARAGIONE

if you need to type
their names. P.